

FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

Sep 17, 2025

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF WASHINGTON

MICHAEL KENNELLY, an  
individual,

Plaintiff,

v.

BNSF RAILWAY COMPANY, a  
foreign profit corporation,

Defendant.

No. 4:24-CV-5135-MKD

ORDER OF DISMISSAL

**ECF No. 29**

Before the Court is the parties' Stipulated Motion to Dismiss, ECF No. 29.

The parties stipulate to the dismissal of all claims with prejudice and without an award of fees or costs. Pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii) and LCivR 41(a)(1)(B), a plaintiff may dismiss an action without court order by filing a stipulation of dismissal signed by all parties who have appeared. The stipulation is signed by all parties who have appeared.

Accordingly, **IT IS HEREBY ORDERED:**

1           1.     The parties' Stipulated Motion to Dismiss, **ECF No. 29**, is  
2 **GRANTED.**

3           2.     Pursuant to Rule 41(a)(1)(A)(ii) and the parties' stipulation, all claims  
4 are **DISMISSED with prejudice**, without an award of fees or costs.

5           3.     Any pending motions are **DENIED as moot**.

6           4.     All hearings and other deadlines are **STRICKEN**.

7           **IT IS SO ORDERED.** The District Court Executive is directed to file this  
8 Order, provide copies to counsel, and **CLOSE** the file.

9                     DATED September 17, 2025.

10                     s/Mary K. Dimke  
11                     MARY K. DIMKE  
12                     UNITED STATES DISTRICT JUDGE  
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